IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re application of

Docket No: Q78312

Lieven Leopold Albertine TRAPPENIERS, et al.

Appln. No.: 10/736,634

Group Art Unit: 2145

Confirmation No.: 4745

Examiner: William J. Goodchild

Filed: December 17, 2003

For: COUPLING SECTION/CONFIGURATION THROUGH SERVICE PARAMETERS

RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF UNDER 37 C.F.R. § 41.37

MAIL STOP APPEAL BRIEF - PATENTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant received a Notification of Non-Compliant Appeal Brief mailed July 31, 2009. In response thereto, Appellant presently submits the following Response, in which the deficiencies identified by the Board are addressed.

The Notice states that the brief does not contain a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, and, in particular, the summary of claimed subject matter does not refer to claims 8, 9, 10, 11, 12, 13, 14 and 15 separately to the specification by page, line number, and drawings.

In response, Appellant submits the following replacement Summary of The Claimed Subject Matter:

V.   SUMMARY OF THE CLAIMED SUBJECT MATTER

The following is a concise explanation of the subject matter defined in each of the independent claims and each separately argued dependent claim involved in the instant appeal.

For the Board's convenience, Appellant will first describe the relevant art (see, e.g., Specification ("Spec.") at 1), and then independent claims 1 and 8-15 and separately argued dependent claims 2 and 3 with reference to exemplary embodiments of the inventions. This discussion of the exemplary embodiments is provided for explanatory purposes only, and is not intended to limit the scope of the claims.

The Relevant Art

Generally, the invention relates to methods for communication between a terminal with a coupling-interface and a service providing server via couplings for providing services that are defined by service parameters and via an access system for accessing a network. One example would be in the case of a video-on-demand (VOD) service, where the providing server would be a content provider's server and the terminal would be a personal computer receiving the VOD content. Further, the coupling-interface may be, for example, a Digital Subscriber Line Access Multiplexer (DSLAM) and the access system a broadband remote access server. (Spec. at 1:5-14.)

As discussed in the Specification, prior systems describe the process of resource reservation in networks by use of reservation and acknowledge messages. However, such approaches are considered to be disadvantageous because once a reservation is made in this

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manner, the reservation parameters are static and would not subsequently change to varying

network conditions. Thus, the network would handles all traffic based on static parameters in an

inefficient manner due to not taking into account that the amount of resources required for a

particular communication may fluctuate. Accordingly, a more dynamic and efficient method of

communication is desirable. (Spec. at 1:16-29.)

Independent Claims

Claim 1

Claim 1 defines method for communication between a terminal (1) and a service

providing-server (6) or another terminal via an access system (4) providing access to a network

(5),wherein the terminal (1) is coupled to a coupling-interface (2) able to communicate with the

access system (4) by protocol couplings (3). (See, e.g., Spec at Fig. 1 and 10:26-11:27.) The

method comprises the steps of (a) at said terminal (1), generating a service-selection-signal and

transmitting said service-selection-signal (100,101) from said terminal (1) to a service-selection-

server (9), and (b) at said service-selection-server (9), in dependence of a service-definition-

signal, obtained by said service-selection server (9), generating a configuration-signal and

transmitting said configuration-signal to said access system (4) for configuring (104) at least

parts of said access system (4) and at least parts of said protocol couplings (3). (See, e.g., Spec.

at Fig. 2 and 13:18-14:18.)

Further, claim 1 recites the step of (c) at said service-selection-server (9), generating a service-information-signal and transmitting said service-information-signal (105) to said terminal (1) and/or said coupling-interface (2) to inform about the configurations made in at least parts of the access system (4) and in at least parts of the protocol couplings (3), wherein said service-information signal defines a protocol coupling (3) to be used. (See, e.g., Spec. at 14:19-23.) Still further, claim 1 recites (d) at said terminal (1) and/or said coupling-interface (2), communicating (107,108) with said service-providing-server (6) or said other terminal via the protocol coupling (3) defined by at least one service parameter, wherein said communicating (107,108) comprises an exchange of signals that comprise said at least one service parameter. (See, e.g., Spec. at 14:24-15:13.)

By introducing step (a), a user at the terminal has the option of selecting one out of many services, like for example surfing the web, making a telephone call, ordering pay-tv-channels etc. Then, with step (b), parts of the access system, like for example modems, filters, (de)modulators, (de)converters etc. and parts of packet switched-couplings like for example Asynchronous-Transfer-Mode-Pipes, Multi-Protocol-Label-Switching pipes, Internet-Protocol-couplings etc. are configured to be in conformance with the service-definition-signal. Thereby, the configuration signal may correspond with the service-definition-signal or not and may comprise parts of the service-definition-signal or not. By introducing step (c), the terminal and/or the coupling-interface is/are informed through the service-information-signal, which, for example, defines the protocol coupling to be used. Finally, with step (d), communication takes place via

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the coupling defined by a service parameter. (See, e.g., Spec. at 15:28-16:6.) By virtue of the

claimed method, the service-information-signal is used to inform the terminal 1 and/or coupling

interface dynamically and allows for increased efficiency in the communication. (See, e.g.,

Spec. at 16:7-14.)

Claim 8

Claim 8 defines an access system (4) for performing a method for communication

between a terminal (1) and a service-providing-server (6) or another terminal via the access

system (4) providing access to a network (5), wherein the terminal (1) is coupled to a coupling

interface (2) able to communicate with the access system (4) by protocol couplings (3). (See,

e.g., Spec. at Fig. 1 and 4:29-5:9 and 11:15-27.)

As recited, the access system of claim 8 comprises an access processor-system (40) that

controls an access transceiver (47) that transmits and receives signals. (See, e.g., Spec. at 11:15-

27.) The access processor-system of claim 8 comprises a receiving processor-system-part (41)

that receives a configuration-signal from a service-selection-server (9), and a configuring

processor-system-part (42) that, in dependence of the configuration-signal, obtained by said

service-selection server (9), configures (104) at least parts of the access system (4) and at least

parts of the protocol couplings (3). (See, e.g., Spec. at Fig. 2, 2:14-21, and 13:18-14:18.) The

access-processor-system of claim 8 further comprises a generating/forwarding processor-system

part (43) for generating/forwarding a service-information-signal and transmitting the service-

information-signal to the terminal (1) and/or the coupling interface (2) to inform about the

configurations made in at least parts of the access system (4) and in at least parts of the protocol

couplings (3). (See, e.g., Spec. at 14:19-23, and 18:25-19:6.) Further, the service-information-

signal defines a protocol coupling to be used. (See, e.g., Spec. at 15:28-16:6.)

Claim 9

Claim 9 defines an access processor program embodied on a tangible computer readable

medium to be run via an access processor-system (40) for controlling an access transceiver (47)

for transmitting and receiving signals and for use in an access system (4) for performing a

method for communication between a terminal (1) and a service-providing-server (6) or another

terminal via said access system (4) providing access to a network (5). Further, the terminal (1) is

coupled to a coupling-interface (2) able to communicate with the access system (4) by protocol

couplings (3). (See, e.g., Spec. at Fig. 1, 5:10-21, 11:15-27, and 18:25-19:6.)

The method for communication recites the operations of receiving a configuration-signal

from a service-selection-server (9), and, in dependence of said configuration-signal, obtained by

the service-selection-server (9), configuring (104) at least parts of the access system (4) and at

least parts of the protocol couplings (3). (See, e.g., Spec. at Fig. 2, 2:14-21, and 13:18-14:18.)

In addition, the method further comprises the operation of generating/forwarding a service-

information-signal and transmitting the service-information-signal to the terminal (1) and/or the

coupling-interface (2) to inform about the configurations made in at least parts of the access

system (4) and in at least parts of the protocol couplings (3), which service-information signal

defines a protocol coupling (3) to be used. (See, e.g., Spec. at 14:19-15:13.)

Claim 10

Claim 10 defines a service-selection-server (9) for performing a method for

communication between a terminal (1) and a service-providing-server (6) or another terminal via

an access system (4) providing access to a network (5). The terminal (1) is coupled to a

coupling-interface (2) able to communicate with the access system (4) by protocol couplings (3),

and the service-selection-server (9) comprises a service-selection-server processor-system (90)

for controlling a service-selection-server transceiver (97) for transmitting and receiving signals.

(See, e.g., Spec. at Fig. 1, 5:22-6:6, 12:14-21, and 13:18-14:18.)

As further defined, the service-selection-server processor-system (90) of claim 10

comprises a receiving processor-system-part (91) that receives (100,101) a service-selection-

signal from said terminal (1) (see, e.g., Spec. at Fig. 2 and 19:7-15.); a configuring processor-

system-part (92) that, in dependence of a service-definition-signal, obtained by said service-

selection-server (9), generates a configuration-signal and transmits the configuration-signal to

the access system (4) for configuring (104) at least parts of the access system (4) and at least

parts of the protocol couplings (3) (see., e.g., Spec at 13:18-14:18 and 19:7-15); and a generating

processor-system-part (93) that generates a service-information-signal and transmits (105) the

service-information-signal to the terminal (1) and/or the coupling-interface (2) to inform about

the configurations made in at least parts of the access system (4) and in at least parts of the

protocol couplings (3), wherein the service-information-signal defines a protocol coupling to be

used. (See, e.g., Spec. at 14:19-15:13 and 19:7-15.)

Claim 11

Claim 11 defines a service-selection-server program embodied on a tangible computer

readable medium to be run via a service-selection-server processor-system for controlling a

service-selection-server transceiver for transmitting and receiving signals and for use in a

service-selection-server (9) for performing a method for communication between a terminal (1)

and a service-providing-server (6) or another terminal via an access system (4) providing access

to a network (5), wherein the terminal (1) is coupled to a coupling-interface (2) able to

communicate with the access system (4) by protocol couplings. (See, e.g., Spec. at Fig. 1 and

6:7-22.)

As recited, the method for communication comprises receiving (100,101) a service-

selection-signal from said terminal (1) (See, e.g., Spec. at Fig. 2 and 13:18-14:18.); and in

dependence of a service-definition-signal, obtained by the service-selection-server (9),

generating a configuration-signal and transmitting the configuration-signal to the access system

(4) for configuring (104) at least parts of the access system (4) and at least parts of the protocol

couplings (3). (See, e.g., Spec. at Fig. 2 and 13:18-14:18.) The method further recites the

operation of generating a service-information-signal and transmitting (105) the service-

information-signal to the terminal (1) and/or the coupling-interface (2) to inform about the

configurations made in at least parts of the access system (4) and in at least parts of the protocol

couplings (3), wherein the service-information-signal defines a protocol coupling (3) to be used.

(See, e.g., Spec. at 14:19-23.)

   Claim 12

   Claim 12 defines a terminal (1) for performing a method for communication between the

terminal (1) and a service-providing-server (6) or another terminal via an access system (4)

providing access to a network (5), wherein the terminal (1) is coupled to a coupling interface (2)

able to communicate with the access system (4) by protocol couplings (3), the terminal (1)

comprises a terminal processor-system (10) for controlling a terminal receiver (17) for

transmitting and receiving signals. (See, e.g., Spec. at Fig. 1 and 6:23-7:7 and 11:1-14.)

   As recited, the terminal processor-system (10) of claim 12 comprises a selecting

processor-system-part (11) that generates a service-selection-signal and transmits (100,101) the

service-selection-signal from the terminal (1) to the service-selection-server (9) (see, e.g., Spec.

at 19:16-28); the service-selection-server (9), in dependence of a service-definition-signal,

obtained by the service-selection-server (9), generating a configuration-signal to the access

system (4) for configuring at least parts of the access system (4) and at least parts of the protocol

couplings (3) (see, e.g., Spec. at Fig. 2 and 13:18-14:18); and a receiving processor-system-part

(12) that receives (105) a service-information-signal from the service-selection-server (9), to

inform about the configurations made in at least parts of the access system (4) an in at least parts of the protocol couplings (3), wherein the service-information-signal defines a protocol coupling (3) to be used. (See, e.g., Spec. at 14:19-15:13 and 19:16-28.)

The terminal processor-system (10) of claim 12 further comprises a communicating processor-system-part (13) that communicates (107,108) with the service-providing-server (6) or the another terminal via the protocol coupling (3) defined by at least one service parameter, wherein the communicating comprises an exchange of signals that comprise at least one service parameter. (See, e.g., Spec at 14:24-15:13 and 19:16-28.)

Claim 13

Claim 13 defines a terminal processor program embodied on a tangible computer readable medium to be run via a terminal processor-system (10) for controlling a terminal transceiver (17) for transmitting and receiving signals and for use in a terminal (1) for performing a method for communication between said terminal (1) and a service-providing-server (6) or another terminal via an access system (4) providing access to a network (5), wherein the terminal (1) is coupled to a coupling-interface (2) able to communicate with the access system by protocol couplings (3). (See, e.g., Spec. at Fig. 1, 7:8-21, and 11:1-14.)

As recited, the method for communication of claim 13 generating a service-selection-signal and transmitting (100,101) the service-selection-signal from the terminal (1) to a service-selection-server (9) (see, e.g., Spec. at Fig. 2 and 13:18-14:18); the service-selection-server (9),

in dependence of a service-definition-signal, obtained by the service-selection-server (9),

generating a configuration-signal and transmitting the configuration-signal to the access system

(4) for configuring (104) at least parts of the access system (4) and at least parts of the protocol

couplings (3) (see, e.g., Spec. at Fig. 2 and 13:18-14:18); and receiving a service-information-

signal from the service-selection-server (9) to inform about the configurations made in at least

parts of the access system (4) and in at least parts of the protocol couplings (3), wherein the

service-information-signal defines a protocol coupling (3) to be used. (See, e.g., Spec. at 14:19-

23.)

  The method for communication of claim 13 further comprises communicating (107,108)

with the service-providing-server (6) or the other terminal via the protocol coupling (3) defined

by at least one service parameter, wherein the communicating (107, 108) comprises an exchange

of signals that comprise the at least one service parameter. (See, e.g., Spec. at 14:24-15:13.)

  Claim 14

  Claim 14 defines a coupling-interface (2) for performing a method for communication

between a terminal (1) and a service-providing-server (6) or another terminal via an access

system (4) providing access to a network (5), wherein the terminal (1) is coupled to the coupling

interface (2) able to communicate with the access system (4) by protocol couplings (3), the

coupling-interface (2) comprising a coupling-interface processor-system (20) for controlling a

coupling-interface transceiver (27) for transmitting and receiving signals. (See, e.g., Spec. at

Fig. 1, 7:22-8:4, and 14:13-23.)

As recited, the coupling-interface processor-system (20) of claim 14 comprises a

transceiving processor-system-part (21) that receives a service-selection-signal from the terminal

(1) and transmitting (100,101) the service-selection-signal to a service-selection-server (9) (see,

e.g., Spec. at Fig. 2 and 19:29-20:9); the service-selection-server (9), in dependence of a service-

definition-signal, obtained by the service-selection-server (9), generating a configuration-signal

and transmitting the configuration-signal to the access system for configuring (104) at least parts

of the access system (4) and at least parts of the protocol couplings (3); (see, e.g., 13:18:14:18)

and a receiving processor-system-part (22) that receives (105) a service-information-signal from

the service-selection-server (9) to inform about the configurations made in at least parts of the

access system (4) and in at least parts of the protocol couplings (3), which service-information-

signal defines a protocol coupling (3) to be used. (See, e.g., Spec. at 14:19-23, 19:29-20:9.)

The coupling-interface processor-system of claim 14 further comprises a communicating

processor-system-part (23) that communicates (107,108) with the service-providing-server (6) or

the another terminal via the protocol coupling (3) defined by at least one service parameter,

wherein the communicating (107, 108) comprises an exchange of signals that comprise at least

one service parameter. (See, e.g., Spec. at 14:24-15:13.)

Claim 15

Claim 15 defines a coupling-interface processor program embodied on a tangible

computer readable medium to be run via a coupling-interface processor-system (20) for

controlling a coupling-interface transceiver (27) for transmitting and receiving signals and for

use in a coupling-interface (2) for performing a method for communication between a terminal

(1) and a service-providing-server (6) or another terminal via an access system (4) providing

access to a network (5), wherein the terminal (1) is coupled to the coupling-interface (2) able to

communicate with the access system (4) by protocol couplings (3). (See, e.g., Spec. at Fig. 1 and

8:5-19.)

As recited, the method for communication comprises receiving a service-selection-signal

from the terminal (1) and transmitting (100,101) the service-selection-signal to a service-

selection-server (9) (see, e.g., Spec. at 13:18-14:18); the service-selection-server (9), in

dependence of a service-definition-signal, obtained by the service-selection-server (9),

generating a configuration-signal and transmitting the configuration-signal to the access system

(4) for configuring (104) at least parts of the access system (4) and at least parts of the protocol

couplings (3) (see, e.g., Spec. at 13:18-14:18); and receiving (105) a service-information-signal

from the service-selection-server (9) to inform about the configuration made in at least parts of

the access system (4) and in at least parts of the protocol couplings (3), wherein the service-

information-signal defines a protocol coupling (3) to be used. (See, e.g., Spec. at 14:19-23,

15:28-16:6, and 18:25-19:6.)

The method for communication further comprises the operation of communicating (107,108) with the service-providing-server (6) or the other terminal via the protocol coupling (3) defined by at least one service parameter, wherein the communicating (107, 108) comprises an exchange of signals that comprise at least one service parameter. (See, e.g., Spec. at 14:24-15:13.)

Dependent Claims

Claim 2
Dependent claim 2 recites that step (b) comprises the step of (b1) at said service-selection-server (9), in dependence of said service-selection-signal, generating said service-definition-signal. (See, e.g., Spec. at 14:1-10.)

Claim 3
Dependent claim 3 recites that step (b) comprises the step of (b2) at said service-selection-server (9), receiving said service-definition-signal from said service-providing-server (6) or said other terminal defined by said service-selection-signal. (See, e.g., Spec. at 14:1-10.)

Conclusion

In view of the foregoing Replacement Summary of the Claimed Subject Matter, it is submitted that the Appeal Brief is in full compliance with the rules. Accordingly, consideration of the argument presented therein is respectfully requested.

The USPTO is directed and authorized to charge the statutory fee (37 C.F.R. §41.37(a) and 1.17(c)) and all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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